IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3323 OF 2004

Himachal Pradesh Horticultural
Produce Marketing & Processing Corpn. .. Petitioner.

V/s.

Commissioner of Customs
(Appeals) & Ors. .. Respondents.

Mr.S.A.Bhalwal i/b.Vyas & Bhalwal for the petitioner.

Mr.S.S.Pakhale i/b. T.C.Kaushik for the respondent.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 23RD DECEMBER, 2004.

P.C. :

Heard.

2. In the light of the judgment of the Supreme Court in the case of Mahanagar Telephone Nigam Limited V/s. Chairman, Central Board of Direct Taxes & Others, 2004 (6) SCC 431 and Oil & Natural Gas Commission V/s. Collector of Central Excise, 2004 (6) SCC 437, we are satisfied that the litigation in the present matter must be first endeavoured to be resolved through the intervention of the High Power Committee as the petitioner is a public sector undertaking being fully owned by the

Government of Himachal Pradesh and the respondents are Union of India and the Customs Department.

3. In case the dispute between the parties is not resolved through the intervention of the High Power Committee constituted by the Government of India, the aggrieved party may get the clearance from the said Committee and take steps for redressal of their grievance in appropriate proceedings.

4. We dispose of the writ petition accordingly.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)